

2006 03 23 2006

10191/4491

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Zurawka et al.  
International Application No.: PCT/DE04/001326  
International Filing Date : June 24, 2004  
U.S. Serial No. : 10/561,111  
For : **METHOD FOR EXECUTING A SOFTWARE UPDATE OF  
AN ELECTRONIC CONTROL UNIT USING FLASH  
PROGRAMMING VIA A SERIAL INTERFACE AND A  
CORRESPONDING FINITE-STATE MACHINE**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## **RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371**

SIR:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed March 28, 2006), Applicants submit herewith a fully executed Declaration and Power of Attorney to complete the filing requirements for the U.S. national phase of the above-identified PCT application.

The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600. The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose

Respectfully submitted,

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/561,111	Thomas Zurawka	10191/4491
INTERNATIONAL APPLICATION NO.		
PCT/DE04/01326		
I.A. FILING DATE		PRIORITY DATE
06/24/2004		06/24/2003
<b>CONFIRMATION NO. 1767</b> <b>371 FORMALITIES LETTER</b>  *OC000000018396837*		

Date Mailed: 03/28/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/15/2005
- Copy of the International Search Report filed on 12/15/2005
- Copy of IPE Report filed on 12/15/2005
- Preliminary Amendments filed on 12/15/2005
- Information Disclosure Statements filed on 12/15/2005
- Oath or Declaration filed on 12/15/2005
- Request for Immediate Examination filed on 12/15/2005
- U.S. Basic National Fees filed on 12/15/2005
- Assignment filed on 12/15/2005
- Priority Documents filed on 12/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

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**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/561,111	PCT/DE04/01326	10191/4491

FORM PCT/DO/EO/905 (371 Formalities Notice)